HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 499 OF 2007

DATED: 8.2.2007

Between:

Ganga Putra Sangam

... Petitioner

and

Municipal Corporation of Hyderabad and another

...

Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No.499 of 2007

ORAL ORDER:

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The writ petition is filed alleging that the respondents are threatening dispossession of the members of the petitioner-society from lands in Bhimrao Wada, M.J. Road, Hyderabad, which is declared a slum area by Gazette notification of the year 1991.

According to the petitioner, earlier the A.P. Housing Board and the revenue officials tried to interfere with the constructions and shelters of the members of the petitioner-society. The society then filed W.P.No.25905 of 2005 apprehending threatened dispossession. The writ petition was disposed of by the judgment dated 19.12.2006 recording an undertaking of the respondents therein that the members of the petitioner-society would not be disturbed without following the due process of law.

The petitioner alleges that on 2.1.2007, the officials of the respondents had come with a bulldozer to demolish the shelters and dispossess the members of the petitioner-society.

On instructions, Sri Ghanta Rama Rao, the learned Standing Counsel for the respondents, states that the Corporation has not taken any unlawful steps to dispossess the members of the petitioner-society.

According to the respondents, power is available under Sections 402 and 405 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the Act') to remove encroachments on public property. It is further averred that some of the members of the petitioner-society have encroached on to the footpaths and these encroachments will be removed in accordance with the power available and after following the prescribed procedure under Sections 402 and 405 of the Act.

The learned counsel for the petitioner-society is satisfied with this response of the respondents.

The writ petition is accordingly disposed of recording the submissions on behalf of the respondent-Corporation that the petitioners would not be dispossessed without due process of law. No costs.

GODA RAGHURAM, J

Date: 8.2.2007

cvm